

The Salisbury Planning Board held its regular meeting on Tuesday, November 12, 2002, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Jerry Wilkes, Fred Dula, Lou Manning, Rodney Queen, Len Clark, Elaine Stiller, Brian Miller, Sandy Reitz, Sean Reid, Eldridge Williams, Jeff Smith

ABSENT: Ken Mowery

STAFF: Harold Poole, Patrick Kennerly, Dan Mikkelson, Hubert Furr, Janice Hartis, Tammy File

The meeting was called to order by Chairman Dula. The minutes of October 22, 2002, were approved as published.

ZONING MAP AMENDMENTS

Z-20-02 Salisbury Planning Board, 200 & 300 blocks of North Long Street

Location: Two parcels along the railroad tracks near East Liberty Street
Size: Approximately 7, 100 square feet
Zoning: M-2 Heavy Industrial
Proposed Zoning: B- 6 General Business

Location: Five parcels owned by Piedmont Natural Gas and fronting on North Long and East Liberty Streets
Size: Approximately 2 ½ acres
Existing Zoning: M-2 Heavy Industrial
Proposed Zoning: M-1 Light Industrial

(a) Chairman Dula convened a courtesy hearing on Z-20-02

Planner Patrick Kennerly explained that these are two areas-- two parcels along the railroad tracks near East Liberty Street and five parcels owned by Piedmont Natural Gas and fronting on North Long and East Liberty Streets.

Those speaking in favor of the zoning change request: None

Those speaking in opposition to the zoning change request:

John Stegall, with Piedmont Natural Gas, 501 N. Main St., Mr. Stegall said he doesn't come with violent opposition, he would just say that at this time we have no plans to add any other tanks. Our propane business has been sold to another company. He said they have done renovations to that property to be a good neighbors. We are hoping to build a new operation center on Jake Alexander but that will be some time later. Would like to see zoning stay the same.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Rodney Queen moved to rezone the M-2 to B-6 the two parcels along the railroad tracks. Lou Manning seconded the motion with all members voting AYE.

Sean Reid said he thinks that the five parcels belonging to Piedmont Natural Gas needs to be safe guarded to protect the Long Street area but feels like to be a good neighbor we should keep the rezoning the same.

Lou Manning said there isn't much difference in M-2 and M-1 zoning.

Brian Miller made the motion to leave the zoning as it is now. Sandy Reitz and Jerry Wilkes seconded the motion with all members voting AYE.

Brian Miller made the motion that Harold contact Mr. Stegall regarding the S-district, with all members voting AYE.

ZONING TEXT AMENDMENTS

250 Fest Signs

Brian Miller stated he had a conflict of interest in this case and asked to be removed from the Board. The Board approved his request.

The 250 Fest Sign Committee has requested a zoning text amendment to allow them to place signage throughout the city in the upcoming year, acknowledging the celebration of our county's 250th anniversary.

Those speaking in favor of the zoning text amendment addition to the subsection:

Henry Bernhardt, 250 Fest Co-Chairman, the signage includes two sizes of banners that would be on the corners of Downtown Salisbury and also the "250" sign that is to be placed on The Plaza. The signs would go up in January 2003 and remain until December 2003.

Sean Reid moved to approve 250 sign addition to Section 9.03, Rodney Queen seconded the motion with all members voting AYE.

Senior Planner Harold Poole presented Henry Bernhardt a certificate of appreciation for his 24 years of service with the Planning Board.

Additional notification for Special Use Permits pertaining to child daycare homes and convenience stores (in B-CS district).

Senior Planner Harold Poole explained about the additional notification of Special Use Permits, a favorable recommendation from the committee, that had to do with having signs made for Special Use Permits whether it be for child daycare or convenience stores in the B-CS district. During the discussion there was talk about what would happen if instead of notification of property owners within 100 feet we notified 200, 300, or 400 feet. Planner Patrick Kennerly

had an example of what that would mean in certain cases. If we notify more than 100 feet it do almost doubles the number of property owners we would have to notify. It does appear to staff that a sign of that type would make more proper notification for the neighbor than mailing notices out to people 400 feet away.

b. Board Discussion:

Rodney Queen said having been involved in being a applicant asking for rezoning is a lot of work getting the information of property owners within 100 feet. He is in favor of more signs but keeping notification to 100 feet.

Brian Miller agreeded with Mr. Queen's comments.

Sean Reid said he thinks 400 feet is excessive, 200 feet is not consistent. He can live with the 100 feet and the signs but thinks everything should be consistent.

Len Clark does not think 100 feet is enough and needs to be extended, but thinks the signs are fine as long as you are going down the road.

Jeff Smith said 100 feet is not enough for Special Use Permits or Zoning cases, and was surprised the applicant does the footwork in getting the property owner information. Mr. Smith thinks that the signs are fine. He would like to vote on the signs today and go back and study something that is reasonable. He doesn't think 100 feet is enough, but doesn't want to put any more burden than is necessary on the applicant. Mr. Smith feels as the City Planning Board we have a responsibility to let more people know what we are doing.

Senior Planner Harold Poole said that we do go back and check to make sure no one is left out within the 100 feet, and we do not hold back the process.

Lou Manning said he doesn't believe 100 feet is enough either. Four hundred feet is only 100 feet longer than a football field and that isn't a very long distance when you are taking diameter around a location where we are going to do something. He feels that in a real dense neighborhood it might be a problem. The signs are fine, but He feels a 100 feet is not near enough.

Brian Miller made the motion to approve the signs as presented and to send the issue of notification of distance back to committee.

Lou Manning seconded the motion with all members voting AYE.

SUBDIVISION

S-7-02 Carolina Place, 211 Carolina Boulevard (at Ivy Street)

An application has been submitted for a single family subdivision in an R-6 district. The are proposed for development is 3.64 acres. The developer is wanting to subdivide the property into 18 single family lots for "affordable" housing. The only standard that could not be met is the lot depth. According to our Subdivision Ordinance, lot depths in all residential districts (other than RD-A and RD-B) are required to be at least 125 feet. To achieve the 18-lot goal, some of the lots will need to have a lesser depth- some with 114, 115, and 116 feet. The city would have to grant a "modification of standards" to allow the reduction. The "modification of standards" is allowable for the Planning Board to make on preliminary plats.

Another option would be to rezone the property from RD-A or RD-B which does allow for smaller lots. This kind of development requires a minimum of five acres. The RD-A or RD-B

district requires a buffer, which is not proposed on the plans. Staff feels that a buffer would be necessary for this development.

Those speaking in favor of the subdivision request:

John Spear, 377 Agner Road, Mooresville, developer wants to built houses 1,000 to 1,300 square feet in the price range of \$80, 000 to \$105,000.

Donald Gain, 565 Newport Dr., Salisbury, owner of the property, inherited property and wants to use it to its best potential; wants neighbors to be proud. Wants like to see single family housing on it at reasonable costs.

Those speaking in opposition : None

(b) Board Discussion:

Rodney Queen said he thinks we need to take it to a RD-B and take it through the proper zoning. We have the opportunity as the Planning Board to do a modification of the standards and take advantage of this. Mr. Queen moves that we approve the modification of standards in accordance with Section 5.05, subsection 2.a of subdivision ordinance.

Jeff Smith, as a Planning Board member of the city, we need to seek other ways to develop property with other options rather than 18 houses lined up in a row.

Sean Reid made a motion that the Planning Board approve the preliminary plat with modification of standards. Jerry Wilkes seconded the motion, with all members voting AYE.

GROUP DEVELOPMENTS

G-4-00 Rowan Regional Medical Park, 650 Julian Road

Rowan Family Physicians submitted an application for the addition of 27 parking spaces to the existing 94-space parking lot. The Technical Review Committee recommended approval of the new plan.

Laurie Ritchie, Office Manager for Rowan Family Physicians, spoke in support of the parking lot extension.

Jeff Smith moved to approve the parking lot extension, Lou Manning seconded the motion with all members voting AYE.

G-17-02 Piedmont Players, Inc., 213 South Main Street

Piedmont Players, Inc. submitted an application for the addition of a storage building which will be designed to match the current building. The Technical Review Committee recommended approval as submitted.

Diane McGrobi, Business Manager for Piedmont Players, stated that Piedmont Players think this is an excellent idea for our growth and a better safety feature factor of the interior of the building for cast members and orchestra members. They feel this is the easiest way to expand at this time.

Rodney Queen made a motion to approve as submitted, Jeff Smith seconded the motion with all members voting AYE.

G-5-94 Town Creek Commons, O'Charley's, 123 North Arlington Street

A application has been submitted for the construction of a 6,799 square foot restaurant to be located within Town Creek Commons. The Technical Review Committee recommended approval.

Jeff Smith moved to approve as submitted, Rodney Queen seconded the motion with all members voting AYE.

G-18-02 Salisbury Apartments – 1100 block of Bringle Ferry Road

Rodney Queen asked to be removed from the Planning Board. He currently owns the property in question, though he intends to sell it to the David Drye Company for development. The Planning Board approved his request.

The David Drye Company submitted an application for the construction of 52 residential apartments and a clubhouse in the 1100 block of Bringle Ferry Road. Technical Review Committee recommended approval as submitted with the condition that it be annexed into the city limits of Salisbury.

Rodney Queen endorsed the plans, indicating that the property could have as many as 75 apartments units.

Robert Tripp, the project engineer, spoke in favor of the site plan. The site plan shows the building which abuts Bringle Ferry facing internally with the back of the building oriented toward Bringle Ferry Road. The developer indicated they would establish a berm to hide the back of the building so that it could not be seen from Bringle Ferry Road. This was new information for Mr. Furr, chairman of the Technical Review Committee. During the review process, the Technical Review Committee had given the developers the option of either architecturally embellishing the building or screening the Bringle Ferry Road side of the building with dense vegetation. Mr. Furr was under the impression that the building would be architecturally embellished so that the side facing Bringle Ferry Road would look similar to the side facing internally and had not been informed of the berm.

Elaine Stiller stated that if the developer had been given the choice of orienting the building toward Bringle Ferry Road or internally and had chosen to face the building internally, the developer should provide sufficient landscaping, berms, etc., to shield the impact of the back of the building facing Bringle Ferry Road. Since Mr. Furr and the TRC had not reviewed plans showing the berm, Mrs. Stiller felt the Planning Board should either approve the site plan as presented today or send it to a committee for further discussion. We have other examples in the city where a berm is sufficient.

Brian Miller stated he wanted visual representation. He moved to send the matter to a Planning Board committee. The motion was seconded by Lou Manning.

Jeff Smith said he didn't want to get into berm heights. The plan shows trees and landscaping and would vote against the motion because he feels the plan should be approved today. Sandy Reitz agreed. The developer had been given a choice as to building orientation and indicated she would also vote against the motion. Eldridge Williams said the developer had been given a choice but there is a disagreement with a staff member. He felt everything hadn't been done properly.

On the call for the question, the vote was 4-4 (Sean Reid and Jerry Wilkes had left the meeting at this point). Brian Miller then moved to approve the berm and the appropriate landscaping. Sandy Reitz seconded the motion, with all members voting AYE.

G-19-02 Eagle's Nest II, 319 East Liberty Street

Shelter Ministries submitted an application for the construction of six transitional housing units, at the existing site at 319 East Liberty Street. The adjoining Eagle's Nest I contains 4 units. The Technical Review Committee recommended approval.

Chris Bradshaw, from the Shelter Ministries spoke in favor of the project.

Sandy Reitz moved to approve the site plan. Rodney Queen seconded the motion with all members voting AYE.

NEW SECRETARY

Brian Miller made the motion to appoint Tammy File as Planning Board Secretary. Jerry Wilkes seconded the motion with all members voting AYE.

A Certificate for Recognition was presented to Janice Hartis for her 33 years of service as Planning Board Secretary.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary